

**RECEIVED**  
**CENTRAL FAX CENTER**  
**DEC 01 2004**

## **FAX COVER SHEET**

**FAX NUMBER 17038729306**

**FROM Thomas M. Isaacson**

**DATE 2004-12-01 23:43:33 GMT**

**RE Application No.: 10/003,350**

### **COVER MESSAGE**

**Attorney Docket: 2000-0600B**

**Dear Sirs:**

**Please find attached an IDS in the above-referenced case.**

**Respectfully submitted,**

**The Law Office of Thomas M. Isaacson**

**(410) 414-3056**

**Customer Number: 40271**

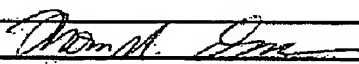
PTO/SB/21 (08-03)


Approved for use through 08/30/2003, OMB 0551-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	10/003,380	
	Filing Date	November 2, 2001	
	First Named Inventor	Joern Ostermann et al	
	Art Unit	2644	
	Examiner Name	Unknown	
Total Number of Pages in This Submission	5	Attorney Docket Number	2000-05008

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> Alter Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	Thomas M. Isaacson, Reg. No. 44166	
Signature		
Date	December 1, 2004	

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.		
Typed or printed name	Thomas M. Isaacson	
Signature		Date December 1, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

## PATENT APPLICATION

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Joern Ostermann et al.

Serial No.: 10/003,350

Filed: November 2, 2001

FOR: SYSTEM AND METHOD FOR  
SENDING MULTI-MEDIA MESSAGES  
USING EMOTICONS

Confirmation No: 5237

Attorney Ref.: 2000-0600B

Art Unit: 2644

Examiner: Unknown

RECEIVED  
CENTRAL FAX CENTER  
DEC 01 2004INFORMATION DISCLOSURE STATEMENTMAIL STOP: Patent Application  
The Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §1.56, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO-1449. Unless otherwise indicated, one copy of each reference is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom. In accordance with 37 C.F.R. §1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56(b).

- ☒ 1. This Information Disclosure Statement is being filed (a) within three months of the U.S. filing date of this non-CPA Application, OR (b) before the mailing date of a first Office Action on the merits in the present application. No certification or fee is required. The non-patent art can be found in US Application numbers 09/999,505 and 09/999,526.
- ☐ 2. The references were cited by or submitted to the Office in parent Application No. , which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these references are not attached. 37 C.F.R. § 1.98(d).

Respectfully submitted,

Date: December 1, 2004

Correspondence Address:  
Samuel H. Dworetzky  
AT&T Corp.  
Room 2A-207  
One AT&T WayBy: Thomas M. Isaacson  
Attorney for Applicants  
Reg. No. 44,166  
Phone: 410-414-3056  
Fax No.: 410-510-1433

## PATENT APPLICATION

PTO/SB/08A MODIFIED

Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)		<b>Complete If Known</b>		
		Application Number	10/003,350	
		Filing Date	November 2, 2001	
		First Named Inventor	Joern Ostermann et al.	
		Group Art Unit	2644	
		Examiner Name	Unknown	
Sheet		of	Attorney Docket Number	2000-0600B

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No.*	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
		US 6,453,294		DUTTA et al.	09-2002	
		US 5,640,590		LUTHER, Willis J.	06-1997	
		US 5,555,343		LUTHER, Willis J.	09-1996	
		US 6,539,354		SUTTON et al.	03-2003	
		US 5,546,500		LYBERG, Bertil	08-1996	
		US 6,522,333		HATLELID et al.	02-2003	
		US 5,657,426		WATERS et al.	08-1997	
		US 6,289,085		MIYASHITA et al.	09-2001	
		US 5,857,099		MITCHELL et al.	01-1999	
		US 6,393,107		BALL et al.	05-2002	
		US 6,377,925		GREENE et al.	04-2002	
		US 5,982,853		LIEBERMANN, Raanan	11-1999	
		US 6,002,997	A	TOU, Julius T.	12-1999	
		US 6,385,586	B1	DIETZ, Timothy Alan	05-2002	
		US 5,826,234	A	LYBERG, Bertil	10-1998	
		US 6,243,681	B1	GUJI et al.	06-2001	
		US 5,697,789		SAMETH et al.	12-1997	
		US 6,122,606		JOHNSON, William J.	09-2000	
		US 5,983,190		TROWER et al.	11-1999	
		US 2002/0007276		ROSENBLATT et al.	05-2001	
		US 2003/0035412		WANG et al.	02-20-2003	
		US 2003/0191816	A1	LANDRESS et al.	10-2003	
		US 2001/0049596	A1	LAVINE et al.	12-2001	
		US 2002/0194006	A1	CHALLAPALI, Kiran	12-2002	
		US 2003/0028378	A1	AUGUST et al.	02-2003	
		US 2001/0019330	A1	BICKMORE et al.	09-2001	
		US 2003/0046160		PAZ-PUJALT et al.	03-2003	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \*Unique citation designation number. \*See attached Kinds of U.S. Patent Documents. \*Enter Office that issued the document, by the two letter code (WIPO Standard ST.3). \*For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. \*Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. \*Applicant is to place a check mark here if English language Translation is attached. PTO/SB/08B MODIFIED

**PATENT APPLICATION**  
 PTO/SB/08A MODIFIED

Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)		<b>Complete if Known:</b>			
		Application Number:	10/003,350		
		Filing Date:	November 2, 2001		
		First Named Inventor:	Joern Ostermann et al.		
		Group Art Unit:	2644		
Examiner Name:	Unknown				
Sheet	2	of	2	Attorney Docket Number	2000-0600B

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. *	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T?
	1	David Kurlander, Tim Skelly, David Salesin. "Comic Chat", Proceedings of the 23 <sup>rd</sup> Annual Conference on Computer Graphics and Interactive Techniques, August 1996	<input type="checkbox"/>
	2	Pollack, "Happy in the East or Smiling in the West". New York Times. 12 August 1996.	<input type="checkbox"/>
	3	Pelachaud et al., "Generating Facial Expressions for Speech". Cognitive Science. Jan. 3, 1996. Vol. 20, no. 1, pp. 1-46.	<input type="checkbox"/>
	4		<input type="checkbox"/>
	5		<input type="checkbox"/>
	6		<input type="checkbox"/>

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

\* Unique citation designation number: \* Applicant is to place a check mark here if English language translation is attached.  
 SEND TO: Commissioner for Patents, Mail Stop: Patent Application, P.O. Box 1450, Alexandria, VA 22313-1450